

## Milwaukee County - FILING A NON-EARNINGS GARNISHMENT

**Note: You can only use this form if you know where the debtor (person you have judgment against) banks. If you do not know that information, start with the Financial Disclosure Form and checklist.**

1. Obtain the Small Claims Garnishment Summons and Complaint for Non-Earnings from Room 104 by paying the \$97.00 filing fee. If you are indigent, these fees may be waived. Fill out a Fee Waiver request form, have it notarized, and take it to Room 609 for approval (you must have proof of public benefits and proof of income). Then take the approved waiver to Room 104 to get the Summons and Complaint.
2. Fill in the Summons and Complaint as shown in the sample. Costs would be the cost of the summons (\$97 if you paid it) and the anticipated costs of service (if using the sheriff – at least \$35 each for the debtor and garnishee) and the \$3 garnish fee. So for most people, the costs are \$170.00.
3. The center cannot help you calculate interest. You must do that yourself if you are asking for it. Statutory interest is 12% per year (1% per month) from the date of judgment.
4. Take the Summons to Window 6 in Room 104. The clerk will file your Summons and give you a court date.
5. Have the copies you get back **personally served** on the garnishee and the debtor. You can have the garnishee (the bank) served first and then have the debtor served. You can hire a private process server or the Milwaukee County Sheriff (***Room 209 of the Safety Building – skywalk is on the first floor***), \$35 per attempt or free with fee waiver.)
6. Come to court on the court date and bring your **proofs of service** with you. **All of your work in serving the papers will be wasted unless you remember to bring your PROOF OF SERVICE to the hearing.**